



MONTGOMERY COUNTY ETHICS COMMISSION

Steven Rosen
Chair

Kenita V. Barrow
Vice Chair

October 27, 2017

Waiver 17-10-020

Pursuant to § 19A-12(b)(1)(B) of the Public Ethics Law, a public employee must not be employed by a business that negotiates or contracts with the County agency with which the public employee is affiliated, unless the Ethics Commission grants a waiver.

Luz Escobar is a social worker with the Children, Youth and Family Services (CYFS) Division, Child Welfare Services (CWS) Section at the Department of Health and Human Services (DHHS). She has requested outside employment to work as a Lactation Consultant at Adventist Health Care (Adventist) and requests a waiver of the prohibition of § 19A-12(b)(1)(B) as Adventist contracts with DHHS.

DHHS contracts with Adventist to support the Maternity Partnership Program and cancer outreach and prevention initiatives to low income County residents. As a Lactation Consultant at Adventist, Ms. Escobar will assist parents who wish to breastfeed their new babies by teaching monthly seminars on various breastfeeding-related topics. Ms. Escobar's outside employment with Adventist has no relationship to the contracts DHHS has with Adventist. The maternity-related contract between DHHS and Adventist assists pregnant women, and Ms. Escobar will be assisting families in a post-partum capacity. As a social worker with DHHS, she works with the In Home Consolidated Services Unit conducting weekly home visits to families where abuse and neglect have occurred. Her position with the County is not related to any contracts between DHHS and Adventist.

Pursuant to § 19A-8(b)(3) of the Public Ethics Law, the Ethics Commission may grant a waiver of the prohibition of § 19A-12(b) if the Ethics Commission concludes that the proposed employment is not likely to create an actual conflict of interest. Upon a review of the request and the Department's concurrence in and support for the waiver request, the Commission finds that there is no actual conflict of interest. Pursuant to the standard of § 19A-8(b)(3), the Commission grants the waiver of the prohibition of § 19A-12(b).

The waiver is conditioned on Ms. Escobar not working, in her County capacity, on matters where Adventist is a party, and on her not referring DHHS clients to Adventist.

MONTGOMERY COUNTY ETHICS COMMISSION

100 MARYLAND AVENUE, ROOM 204, ROCKVILLE, MARYLAND 20850
OFFICE: 240.777.6670 FAX: 240.777.6672

This waiver expires when the outside employment approval with which it is associated expires, unless a continuation request for outside employment is timely filed and subsequently approved by the Ethics Commission.

In reaching this decision, the Commission has relied upon the facts as presented by Ms. Escobar.

For the Commission:



Steven Rosen, Chair